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IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF MARYLAND

4:40 pm, May 21 2024

AT BALTIMORE  
 CLERK, U.S. DISTRICT COURT  
 DISTRICT OF MARYLAND  
 BY R.C. Deputy

UNITED STATES OF AMERICA

v.

WAYNE I KACHER, Jr.

Defendant.

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 \* CRIMINAL NO. SAG-21-090  
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GOVERNMENT'S TRIAL EXHIBITS

Exhibit No.	Identification	Admitted	Date	Description
1	5/14/24	5/14/24	9/26/2008	Original Cooperative Agreement
2	5/14/24	5/14/24	6/30/2014	Mdbc Invoice to Navy for \$305,500
3	5/14/24	5/14/24	6/30/2014	Mdbc Invoice to Navy for \$128,296.27
4	5/14/24	5/14/24	7/31/2014	M&T Statement with 7/30 DFAS Deposit of \$433,796.27
5	5/14/24	5/14/24	7/30/2014	BAU Invoice #1532 to Mdbc for \$115,000
6	5/14/24	5/14/24	7/30/2014	BAU Invoice #1533 to Mdbc for \$135,000
7	5/14/24	5/14/24	8/1/2014	Check from Mdbc to BAU for \$135,000
8	5/14/24	5/14/24	8/1/2014	Check from Mdbc to BAU for \$115,000
9	5/14/24	5/14/24	8/1/2014	BAU check to Cash for \$25,000
10	5/14/24	5/14/24	8/1/2014	M&T Official Check Payable to Kacher; endorsed to Mitchell
11	5/14/24	5/14/24	8/1/2014	Mitchell M&T 3748 Deposit Image
12	5/14/24	5/14/24	9/9/2014	August Check/Quickbooks Reconciliation
13	5/14/24	5/14/24	10/29/2014	BAU Invoice #1584 to Mdbc for \$58,500
14	5/14/24	5/14/24	10/29/2014	BAU Invoice #1584A to Mdbc for \$97,500
15	5/14/24	5/14/24	10/29/2014	BAU Invoice #1585 to Mdbc for \$275,000

<b>Exhibit No.</b>	<b>Identification</b>	<b>Admitted</b>	<b>Date</b>	<b>Description</b>
<b>16</b>	5/14/24	5/14/24	10/30/2014	Check from Mdbc to BAU for \$58,500
<b>17</b>	5/14/24	5/14/24	10/30/2014	Check from Mdbc to BAU for \$97,500
<b>18</b>	5/14/24	5/14/24	10/31/2014	BAU Check to Cash for \$20,000
<b>19</b>	5/14/24	5/14/24	10/31/2014	M&T Official Check Payable to Kacher for \$20,000; endorsed to Mitchell
<b>20</b>	5/14/24	5/14/24	10/31/2014	Mitchell Acct 3748 Deposit Image
<b>21</b>	5/14/24	5/14/24	11/6/2014	Mdbc Invoice to Navy for \$300,971.01
<b>22</b>	5/14/24	5/14/24	11/6/2014	Mdbc Invoice to Navy for \$275,000
<b>23</b>	5/14/24	5/14/24	11/30/2014	Mdbc M&T Statement re: 11/20 DFAS Deposit of \$575,971.01 and withdrawal
<b>24</b>	5/14/24	5/14/24	12/4/2014	Mdbc Invoice to Navy for \$1,000,000
<b>25</b>	5/14/24	5/14/24	12/11/2014	BAU Invoice to Mdbc for \$240,000
<b>26</b>	5/14/24	5/14/24	12/11/2014	BAU Invoice to Mdbc for \$10,000
<b>27</b>	5/14/24	5/14/24	12/11/2014	Mdbc Check to BAU for \$240,000
<b>28</b>	5/14/24	5/14/24	12/11/2014	Mdbc Check to BAU for \$10,000
<b>29</b>	5/14/24	5/14/24	12/11/2014	BAU Check to Wayne Kacher for \$20,000
<b>30</b>	5/14/24	5/14/24	12/11/2014	M&T Official Check payable to Kacher for \$20,000; endorsed to Mitchell
<b>31</b>	5/14/24	5/14/24	12/12/2014	Documentation of Mitchell Deposit
<b>32</b>	5/14/24	5/14/24	1/13/2015	Quickbooks Bank Reconciliation
<b>33</b>	5/15/24	5/15/24	5/14/2015	Mitchell_Kacher Text Message Chain
<b>34</b>	5/14/24	5/14/24	5/15/2015	Check from Mdbc to BAU for \$30,000
<b>35</b>	5/16/24	5/16/24	7/23/2015	Mitchell_Kacher Text Message Chain
<b>36</b>	5/16/24	5/16/24	7/23/2015	Check from Mdbc to BAU for \$42,000
<b>37</b>			9/15/2015	Mitchell_Kacher Text Message Chain
<b>38</b>	5/14/24	5/14/24	9/18/2015	Mdbc Check to BAU for \$22,500
<b>39</b>	5/16/24	5/16/24	10/12/2015	Mitchell_Kacher Text Message Chain

Exhibit No.	Identification	Admitted	Date	Description
40	5/16/24	5/16/24	10/20/2015	Mitchell_Kacher Text Message Chain
41	5/16/24	5/16/24	10/23/2015	Mitchell_Kacher Text Message Chain
41-A	5/16/24	5/16/24	10/27/2015	MDBC-Cks-to-BAU
41-B	5/16/24	5/16/24	10/28/2015	BAU-Ck-to-Cash
42	5/15/24	5/15/24	12/14/2015	Mitchell_Kacher Text Message Chain
43	5/14/24	5/14/24	12/15/2015	Check from Mdbc to BAU for \$30,000
44	5/16/24	5/16/24	4/26/2016	Kacher cashed BAU Check to himself
45	5/16/24	5/16/24	4/27/2016	Text Chain between Mitchell and Kacher re: hiding package under floor mat
46	5/14/24	5/14/24	5/5/2016	FNB Signature Card Account x3009
47			6/24/2016	Text Message Chain re: Kacher asking for advance payment
48			6/24/2016	Text Message Chain from Smethurst to Mitchell re: "Your envelope came"
49	5/14/24	5/14/24	6/24/2016	Check from Mdbc to Pro Comm for \$22,500
50			7/21/2016	Email from Kacher to Mitchell re 3 Invoices
51	5/16/24	5/16/24	7/21/2016	Text Message Chain re: "problem solved"
52			7/21/2016	Text Message Chain from Smethurst to Mitchell re: "Does he really need all three?"
53	5/16/24	5/16/24	7/22/2016	Check from Mdbc to BAU for \$21,192.50
54	5/15/24	5/15/24	8/24/2016	Value Carpet Project Documents
55	5/14/24	5/14/24	9/6/2016	Mdbc Invoice to Navy for \$1.3 million
56	5/14/24	5/14/24	9/14/2016	Mdbc Invoice to Navy for \$2 million
57	5/14/24	5/14/24	9/28/2016	BAU Invoice #2045 to Mdbc for \$117,364.50
58			10/13/2016	Text Message from Michell to Mitchell: "How much is Wayne going to need?"
59	5/15/24	5/15/24	10/15/2016	Email from Mitchell to Kacher re: my new barn estimate
60			10/17/2016	Call Log

Exhibit No.	Identification	Admitted	Date	Description
61			10/17/2016	Text Message from Kacher re: Asking for money
62	5/15/24	5/15/24	10/17/2016	Email from Mitchell to Michelle re BAU 9/28/16 Invoice
63	5/15/24	5/15/24	10/17/2016	Email from Kacher to Mitchell, Michell re BAU 350,000 Invoice
64	5/14/24	5/14/24	10/17/2016	BAU Invoice to Mdbc for \$350,000
65	5/14/24	5/14/24	10/17/2016	Check from Mdbc to BAU for \$467,364.50
66	5/15/24	5/15/24	10/17/2016	Check from BAU to Eastern Shore Pole Buildings for \$21,721.80
67	5/15/24	5/15/24	10/18/2016	Invoice from Easter Shore Pole Buildings
68	5/14/24	5/14/24	10/31/2016	Mdbc M&T Statement showing 10/13 \$3.3 million DFAS deposit
69	5/14/24	5/14/24	11/1/2016	BAU Invoice #2051 to Mdbc for \$150,000
70	5/14/24	5/14/24	11/1/2016	BAU Invoice #2055 to Mdbc for \$50,000
71	5/15/24	5/15/24	11/1/2016	Check from Mdbc to BAU for \$150,000
72	5/15/24	5/15/24	11/1/2016	Check from Mdbc to BAU for \$50,000
73	5/15/24	5/15/24	11/8/2016	Check from BAU to Peninsula Cabinets for \$3,000
74	5/15/24	5/15/24	11/8/2016	Check from BAU to Value Carpet for \$6,800
75	5/15/24	5/15/24	11/18/2016	Check from BAU to Delmarva Power Sport for \$10,972.61
76	5/15/24	5/15/24	11/18/2016	Check from BAU to Eastern Shore Pole Buildings for \$14,687.20
77	5/15/24	5/15/24	11/19/2016	Vehicle Sales Contract for Yamaha ATV
78	5/14/24	5/14/24	11/22/2016	BAU Invoice #2022 to Mdbc for \$68,311.62
79	5/14/24	5/14/24	11/22/2016	BAU Invoice #2060 to Mdbc for \$600,000
80	5/14/24	5/14/24	11/22/2016	BAU Invoice #2061 to Mdbc for \$75,000
81	5/15/24	5/15/24	11/23/2016	Check from Mdbc to BAU for \$68,311.62
82	5/15/24	5/15/24	11/23/2016	Check from Mdbc to BAU for \$600,000

Exhibit No.	Identification	Admitted	Date	Description
83	5/15/24	5/15/24	11/23/2016	Check from MDBC to BAU for \$75,000
84	5/15/24	5/15/24	12/9/2016	Text Message Chain w Michelle: "1 mill flat?"
85	5/15/24	5/15/24	12/9/2016	Invoice from MDBC to Navy for \$1.025
86	5/14/24	5/14/24	12/9/2016	Check from MDBC to BAU for \$600,000
87	5/14/24	5/14/24	12/9/2016	Check from MDBC to BAU for \$100,000
88	5/14/24	5/14/24	12/15/2016	Check from MDBC to Pro Comm for \$22,500
89	5/16/24	5/16/24	12/19/2016	Text Message Chain re: "reg or double"
90	5/14/24	5/14/24	12/22/2016	Check from MDBC to BAU for \$80,000
91	5/14/24	5/14/24	12/22/2016	Check from Kacher to Kacher cashed for \$5k
92	5/16/24	5/16/24	12/23/2016	Text Message Chain re: Kacher asking for money to build new shop
93			1/12/2017	Text Message from Mitchell to Michelle asking about how much money they have
94			1/12/2017	Text Message Chain re: Mitchell telling Kacher to send Invoice
95	5/14/24	5/14/24	1/31/2017	M&T Statement with 1/6 DFAS Deposit of \$1,025,000
96			1/13/2017	Email from Kacher with BAU Invoice to MDBC for \$300,000
97			1/13/2017	Email from Kacher BAU Invoice to MDBC for \$12,500
98	5/14/24	5/14/24	1/13/2017	Check from MDBC to BAU for \$300,000
99	5/14/24	5/14/24	1/13/2017	Check from MDBC to BAU for \$12,500
100	5/14/24	5/14/24	2/8/2017	MDBC Invoice to Navy for \$1,665,127.00
101			2/16/2017	Text Message from Kacher to Mitchell asking for money
102			2/16/2017	Text Message from Mitchell to Michelle re: how much pax do we have "Wayne need payroll"
103	5/14/24	5/14/24	2/17/2017	Check from MDBC to BAU for \$100,000

Exhibit No.	Identification	Admitted	Date	Description
104	5/14/24	5/14/24	3/7/2017	Check to BAU from Mdbc for \$670,700
105	5/14/24	5/14/24	3/31/2017	Mdbc M&T Statement re: DFAS Deposit of \$1,665,127 on 3/6
106			4/14/2017	Email from Suzanne Maxa-Albers to Kacher re: payment for drill
107	5/16/24	5/16/24	4/14/2017	Email from Kacher to Mitchell forwarding Maxa-Albers email
108	5/15/24	5/15/24	4/14/2017	BAU Invoice #2207 to Mdbc for \$135,000
109	5/15/24	5/15/24	4/17/2017	Text Message from Kacher to Mitchell asking for \$500k
110			4/19/2017	Email from Maxa-Albers to Kacher re: payment for drill
111	5/15/24	5/15/24	4/20/2017	Text Message from Mitchell to Michelle re: needs 500k, "relax"
112	5/15/24	5/15/24	4/20/2017	Email from Kacher to Mitchell re: payoff of drill \$133k
113	5/15/24	5/15/24	4/21/2017	BAU Invoice #2160 to Mdbc for \$497,000
114	5/15/24	5/15/24	4/21/2017	Check from Mdbc to BAU for \$497,000
115	5/15/24	5/15/24	4/26/2017	Text Message chain re: paying for John Deere
116	5/15/24	5/15/24	4/26/2017	Text Message chain re: paying for drill
117	5/15/24	5/15/24	4/27/2017	Text Message Mitchell asking Michelle to deposit \$135,000
118	5/14/24	5/14/24	4/27/2017	Check from from Mdbc to BAU for \$135,000
119	5/20/24	5/20/24	5/5/2017	Email from Kacher to Argentino re: payoff of drill
120	5/15/24	5/15/24	5/19/2017	Text Message Kacher asking Mitchell for capital to start WV job
121	5/15/24	ID ONLY	5/22/2017	Text Message Mitchell to Michelle re: repayment of \$135k
122	5/16/24	5/16/24	5/22/2017	Text Message chain re: Deere payment
123	5/15/24	5/15/24	5/23/2017	Check from Mdbc to Pro Comm for \$112,500

Exhibit No.	Identification	Admitted	Date	Description
124	5/16/24	5/16/24	5/25/2017	Mitchell and Kacher Text Message chain re: Fedex "sending 5"
125	5/15/24	5/15/24	5/26/2017	John Deere Finance Account Printout showing Payment
126	5/15/24	ID ONLY	6/29/2017	Text Message from Michelle to Mitchell re: repayment of \$135k
127	5/15/24	ID ONLY	8/16/2017	Text Message from Michell to Mitchell re: invoice for \$135k
128			10/15/2017	Bribery/Kickback Text w Beavers
129			10/17/2017	Email from V. Argentino to John at ProComm re: Kickback/bribery press
130	5/15/24	ID ONLY	11/9/2017	Text Message from Michelle to Mitchell re: "What about the \$135,000"
131	5/15/24	5/15/24	11/9/2017	Audit Trail for \$135k payment
132			3/14/2018	Text Message from Michelle to Mitchell "Did you just purchase another vehicle"
133			5/1/2018	Email from Mitchell to Kacher attaching Letter of Recommendation
134	5/16/24	5/16/24	5/11/2018	Cashed Check
135	5/16/24	5/16/24	5/11/2018	Text Message from Kacher to Mitchell re: "Double"
136			6/27/2018	Text Message from Michelle to Mitchell re: what to do with 10k
137	5/14/24	5/14/24	6/29/2018	Check from BAU to MdBC for \$10k
138	5/16/24	5/16/24	7/6/2018	Text Message from Kacher to Mitchell re: discount invoice and "double"
139	5/14/24	5/14/24	7/12/2018	Check from MdBC to Pro Comm for \$81,000
140			8/20/2018	Text Message from Michelle to Mitchell "did you buy another f150"
141	5/16/24	5/16/24	9/20/2018	Text Message chain re: "don't say where you got truck from"

Exhibit No.	Identification	Admitted	Date	Description
142			11/14/2018	Text Message from Michelle to Mitchell re: Wayne not paying for F450
143	5/16/24	5/16/24	12/18/2018	Voicemail From Kacher to Mitchell
143-A	5/16/24	5/16/24	12/18/2018	Kacher Phone Log
144	5/15/24	5/15/24	1/28/2019	Check from BAU to MdBC for \$5,600 re: Truck F-450
145	5/14/24	5/14/24	07/07/2021	Final Mod Cooperative Agreement
145-A	5/14/24	5/14/24		Cooperative Agreement Modification
146			4/27/2016	MDBC-Ck-to-Larry-Tawes
147	5/14/24	5/14/24	9/14/2016	Bel Air Invoice_
148	5/15/24	5/15/24	9/15/2016	Check from MdbC to BAU_
149	5/14/24	5/14/24	9/15/2016	Check to Coastal and Title Co_
150	5/14/24	5/14/24	9/2016	FNB-Acct-3009-Stmt_
151	5/15/24	5/15/24	9/16/2016	Kacher and Mitchell Text Messages_
152			5/27/2015	Mitchell and Kacher Text Messages
153	5/15/24	5/15/24	11/15/2016	Kacher and Albers Text Messages (New Exhibit)
154	5/15/24	5/15/24	11/18/2016	Kacher and Albers Text Messages (New Exhibit)
155			12/09/2016	Kacher and Albers Text Messages (New Exhibit)
156			3/14/2017	Kacher and Albers Text Messages(New Exhibit)
157				Kacher and Albers Text Messages(New Exhibit)
158	5/14/24	5/14/24	12/9/16	Kacher and Albers Text Messages(New Exhibit)
159	5/14/24	5/14/24	5/6/17	Email to Kacher from Rodney Spring



<b>Exhibit No.</b>	<b>Identification</b>	<b>Admitted</b>	<b>Date</b>	<b>Description</b>
<b>160</b>	5/16/24	5/16/24		Invoice sequencing
<b>161</b>	5/16/24	5/16/24		PAX Naval Station Wire
<b>162</b>	5/16/24	5/16/24		Hicks * Mitchell email
<b>163</b>	5/20/24	5/20/24		
<b>164</b>	5/20/24	5/20/24		Email – J Ross to Pat Mitchell 7/23/14
<b>165</b>			8/8/14	G4S MdBC Meeting
<b>166</b>			8/13/14	FW Bay Crossing (Spring and Assoc)
<b>167</b>	5/20/24	5/20/24		Email – Misty Stine (G42) to Pat Mitchell 9/5/14
<b>168</b>			9/17/14	Drilling big in word
<b>169</b>	5/20/24	5/20/24		Email – Pat Mitchell to DEF 9/17/14
<b>170</b>	5/20/24	5/20/24		Email – Pat Mitchell to DEF 9/17/14
<b>171</b>	5/20/24	5/20/24		Email - Pat Mitchell to DEF 9/26/14
<b>172</b>	5/20/14	5/20/14		Email – Pat Mitchell to DEF 9/26/14
<b>173</b>			10/24/14	Pro Comm Articles of Org
<b>174</b>			10/29/14	Pro Comm invoice
<b>175</b>	5/20/24	5/20/24		Email – Pat Mitchell to DEF 10/30/14

<b>Exhibit No.</b>	<b>Identification</b>	<b>Admitted</b>	<b>Date</b>	<b>Description</b>
<b>177</b>	5/20/24	5/20/24		Memo NB&C 7/23/15 – ProComm bid
<b>178</b>	5/20/24	5/20/24		Email – Pat Mitchell to DEF 8/5/15
<b>179</b>	5/20/24	5/20/24		Email – DEF to Michael Hicks 9/12/16
<b>180</b>			9/14/16	FW Scan from Bel Air Underground
<b>181</b>			8/1/17	Contract
<b>182</b>				BAU Approach File
<b>183</b>	5/20/24	5/20/24		Email – DEF to Glen Kacher 1/28/16
<b>184</b>			12/22/14	BAU invoice 1604 to MdBC for \$730,000
<b>185</b>			7/31/14	BAU Lump Sum pricing MdBC
<b>200</b>	5/14/24	5/14/24	4/27/2016	Network Map from MdBC Website
<b>201</b>	5/14/24	5/14/24	UNDATED	Kacher Cashier's Check Bundle
<b>202</b>	5/16/24	5/16/24	UNDATED	Picture of Pole Barn
<b>203</b>	5/15/24	5/15/24	UNDATED	BAU Overdraft Summary
<b>204</b>	5/15/24	5/15/24	UNDATED	BAU Income Loss Summary
<b>205</b>			UNDATED	MDBC Revenue Summary
<b>206</b>	5/15/24	5/15/24	UNDATED	BAU Revenue from MdBC
<b>207</b>	5/15/24	5/15/24	UNDATED	Total Payments
<b>208</b>	5/15/24	5/15/24	UNDATED	August 2014 Tracing
<b>209</b>	5/15/24	5/15/24	UNDATED	October 2014 Tracing
<b>210</b>	5/15/24	5/15/24	UNDATED	November 2014 Loan Repayment

<b>211</b>	5/15/24	5/15/24	UNDATED	December 2014 Tracing
<b>212</b>	5/15/24	5/15/24	UNDATED	December 2014 Loan Repayment
<b>213</b>	5/15/24	5/15/24	UNDATED	October 2016 Tracing
<b>214</b>	5/15/24	5/15/24	UNDATED	November 2016 Tracing
<b>215</b>			UNDATED	October 17, 2016 Flow Chart
<b>216</b>	5/15/24	5/15/24	UNDATED	BAU Payments related to Pylesville Property_
<b>217</b>	5/15/24	5/15/24	UNDATED	Kacher Boat Picture_
<b>218</b>			UNDATED	Pylesville House Photo
<b>219</b>			UNDATED	Kacher 302
220	5/15/24	5/15/24		Agent Bender summary chart May 16-March 18
221	5/15/24	5/15/24	11/18/16	Photo of Wayne Kacher's house
222	5/16/24	5/15/24		Call log record for Mitchell iPad
223	5/16/24	5/16/24		John Deere Picture